



**CARDER
35193**

***ROANOKE CITY COUNCIL
REGULAR SESSION***

***FEBRUARY 5, 2001
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call. All Present.

THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED IN RECESS TO BE RECONVENED AT 12:25 P.M., IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159.

Briefing on the I-73 Project.

Council went on record as opposing the option designated by the Virginia Department of Transportation as 376 through the City of Roanoke and opposing any other route through the City, other than 374 and 375 as shown on a map presented by VDOT representatives on February 5, 2001. (Vice-Mayor Carder and Mayor Smith voted no, Council Member Hudson was not present when the vote was recorded and Council Member White was absent.)

File #77-544

A communication from the Honorable Ralph K. Smith, Mayor, requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended. **(Approved 6-0)**

File #110-132

A communication from the City Attorney requesting a Closed Meeting to consult with legal counsel on a matter of actual litigation, pursuant to Section 2.1-344 (A)(7), Code of Virginia (1950), as amended. **(Approved 6-0)**

File #132

A communication from Council Member C. Nelson Harris, Chair, City Council Personnel Committee, requesting a Closed Meeting to discuss the performance of two Council-Appointed Officers, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended. **(Approved 6-0)**

File #132-184



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***FEBRUARY 5, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order -- Roll Call. All Present.

The Invocation was delivered by The Reverend Carl T. Tinsley, Pastor, First Baptist Church, Buena Vista, Virginia.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, February 8, 2001, at 7:00 p.m., and Saturday, February 10, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE ENTIRE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.CLROANOKE.VA.US, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

PRESENTATIONS:

Proclamation declaring Monday, February 5 as Junior League of Roanoke Valley, Virginia, Inc.
Oh My Stars! Day.
File #3

CONSENT AGENDA

(APPROVED 7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meetings of Roanoke City Council held on Monday, August 7, 2000, and Monday, August 21, 2000.

RECOMMENDED ACTION: Dispense with the reading and approve as recorded.
File #132

- C-3 A communication from James D. Ritchie, Deputy City Manager, submitting his resignation as a City representative to the Hotel Roanoke Conference Center Commission, effective April 1, 2001.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

File #110-247

- C-4 A communication from S. James Sikkema, Executive Director, Blue Ridge Behavioral Healthcare, advising of the resignation of Ann Janney-Schultz as a member of the Blue Ridge Behavioral Healthcare Board of Directors.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

File #110-314-335

- C-5 A communication from Mark Petersen submitting his resignation as a member of the Roanoke Neighborhood Partnership Steering Committee.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

File #110-488

- C-6 A communication from the City Manager requesting approval to advertise a special meeting of Council to conduct a joint public hearing on the South Jefferson Redevelopment Plan with the City Planning Commission and the Roanoke Redevelopment and Housing Authority on Monday, February 26, 2001, at 7:00 p.m., in Fitzpatrick Hall, the Jefferson Center, 541 Luck Avenue, S. W.

RECOMMENDED ACTION: Concur in request.

File #132-178-540

- C-7 Qualification of Clarence W. Hall as a member of the Advisory Board of Human Development for a term ending November 30, 2004.

RECOMMENDED ACTION: Receive and file.
File #15-110-318

REGULAR AGENDA

3. HEARING OF CITIZENS UPON PUBLIC MATTERS:

- a. Request to discuss efforts of the Roanoke Neighborhood Partnership Steering Committee. Gloria Dorma, Spokesperson.

**Ms. Dorma reiterated her remarks to Council at its regular meeting on October 4, 1999, requesting that Council and City staff consider the matter of housing density in connection with new construction, particularly in the northwest section of the City. She asked that her remarks be referred not only to the City Manager, but to the City Attorney for review as to legal ramifications.
File #488-178**

- b. Request to address United States Army opportunities. Lieutenant Harry C. Garner, Department of the United States Army, Roanoke Recruiting Station, Spokesperson.

**Council unanimously adopted a motion in support of U. S. Army opportunities.
File #549**

4. PETITIONS AND COMMUNICATIONS:

- a. A communication from Council Member C. Nelson Harris, Chair, City Council Personnel Committee, requesting that the establishment of an Assistant City Clerk position be referred to fiscal year 2001-02 budget study.

**Referred to fiscal year 2001-02 Budget Study.
File #38-60-184**

- b. A communication from Council Member William White, Sr., requesting that the matter of an increase in the City's transient room tax be referred to fiscal year 2001 - 02 budget study.

**Referred to fiscal year 2001-02 Budget Study. (Mayor Smith abstained from voting.)
File #60-79**

5. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS:

1. A communication with regard to Crystal Springs Pumping Station. (25 minutes)

No action.

File #468

2. A communication with regard to Wiley Drive. (15 minutes)

Council voted to accept the report of the City Manager with the request that City staff review and report to Council by Tuesday, February 20, 2001, on the implications of not including Wasena Park in the proposed plan, pending completion of the flood control project on the Roanoke River by the U. S. Army Corps of Engineers and that any plan which is submitted to Council will address requirements of the Americans with Disabilities Act. (Council Member Bestpitch voted no.)

File #67

Vice-Mayor Carder requested that City staff review the matter of installing stop signs at pedestrian crosswalks, and the posting of 13 mph as opposed to 15 mph speed limit signs.

3. A communication with regard to the new Roanoke Web Site. (10 minutes)

Received and filed.

File #175-403

ITEMS RECOMMENDED FOR ACTION:

4. A communication recommending that Council authorize the City Manager to enter into a one year agreement, with an option to renew for four additional one-year periods, with Woody Graphics, Inc., for commercial offset printing services, totaling approximately \$51,307.00 per year, or approximately \$256,535.00 over the five year period of the contract; and reject all other bids received by the City.

Adopted Resolution No. 35194-020501. (7-0)

File #409-467

5. A communication with regard to Affirmative Action and Diversity Initiatives for the calendar year 2000.

Council Member White reiterated a previous request that the City's Affirmative Action and Diversity Initiatives report be submitted to Council, automatically, on an annual basis.

Council Member Wyatt encouraged the City Manager to consider certain types of intensive diversity training programs for the City's managerial staff.

Received and filed.

File #411

6. A communication recommending approval of Change Order No. 7 to the contract with Thor, Inc., in the amount of \$50,637.00, for the new Police Building.

Adopted Budget Ordinance No. 35195-020501 and Ordinance No. 35196 - 020501. (7-0)

File #5

7. A communication recommending acceptance of a V-STOP Violence Against Women Grant from the Virginia Department of Criminal Justice Services, in the amount of \$33,754.00; and appropriation of funds in connection therewith.

Adopted Budget Ordinance No. 35197-020501 and Resolution No. 35198 - 020501. (7-0)

File #5-60-236

8. A communication recommending transfer of \$10,500.00 from Capital Maintenance and Equipment Replacement Program funds to complete payment for construction of the Mill Mountain Center.

Adopted Budget Ordinance No. 35199-020501. (7-0)

File #60-67-270

9. A communication concurring in a bid committee recommendation to accept the proposal of The First National Bank of Atlanta, d/b/a Wachovia Bank Card Services, to provide purchasing cards for small purchases and travel expenses, for a period of one year, with an option to renew for two additional one-year periods.

Adopted Resolution No. 35200-020501. (7-0)

File #541

10. A communication recommending execution of an agreement between the Roanoke City School Board and the City of Roanoke, allowing the City to operate a fitness center at Jackson Middle School for use by the general public.

Adopted Resolution No. 35201-020501. (7-0)

File #467

11. A communication recommending an amendment to the Fee Compendium to establish uniform fees for use of certain fitness centers operated by the City of Roanoke.

Adopted Resolution No. 35202-020501. (7-0)
File #289-467

12. A communication recommending execution of a contract with the Virginia Department of Health for operation of the local Health Department; and transfer of \$85,208.00 in connection therewith.

Adopted Budget Ordinance No. 35203-020501 and Resolution No. 35204 - 020501. (7-0)
File #22-60

13. A joint communication from the City Manager and the Director of Finance recommending execution of a lease agreement with SunTrust Leasing Corporation; and appropriation of \$2,503,000.00 in connection therewith.

Adopted Resolution No. 35193-020501. (7-0)

The Mayor requested a report from the Director of Finance with regard to the cost of acquiring the equipment through the lease-purchase agreement versus the conventional method of equipment acquisition.
File #60-373-472

CITY CLERK:

1. A report advising of expiration of the three-year terms of office of Melinda J. Payne and Ruth C. Willson as Trustees of the Roanoke City School Board on June 30, 2001, and applications for the upcoming vacancies will be received in the City Clerk's Office until 5:00 p.m., on Friday, March 9, 2001.

Received and filed.
File #110-467

c. DIRECTOR OF FINANCE:

1. A report recommending authorization to institute and conduct suits to collect delinquent real estate taxes and assessments by judicial sale.

Adopted Resolution No. 35205-020501. (7-0)
File #79-140

2. Financial report for the month of December 2000.

6. REPORTS OF COMMITTEES:

- a. A report of the Bid Committee recommending acceptance of the bid submitted by JMW, Inc., in the amount of \$39,480.00, to remodel four City recreation centers (Mountain View, Buena Vista, Preston and Eureka) for compliance with the Americans with Disabilities Act; transferring funds totaling \$48,200.00; and a statement of concurrence in the recommendation by the City Manager. Council Member W. Alvin Hudson, Jr., Chair.

Adopted Budget Ordinance No. 35206-020501. (7-0)
File #60-67-353

- b. A report of the Bid Committee recommending acceptance of the bid submitted by Wyant Construction Co., Inc., in the amount of \$98,950.00, to remodel seven City park shelters (Thrasher, Golden, Fallon, Wasena, Strauss, Smith and Crystal Springs) for compliance with the Americans with Disabilities Act; transferring funds totaling \$113,000.00; and a statement of concurrence in the recommendation by the City Manager. Council Member W. Alvin Hudson, Jr., Chair.

Adopted Budget Ordinance No. 35207-020501 and Ordinance No. 35208 - 020501. (7-0)
File #60-67-353

- c. A report of the Bid Committee recommending acceptance of the bid submitted by Construction Services of Roanoke, Inc., in the amount of \$128,000.00, to renovate the public access elevator at the City Jail; transferring funds totaling \$139,340.00; and a statement of concurrence in the recommendation by the City Manager. Council Member W. Alvin Hudson, Jr., Chair.

Adopted Budget Ordinance No. 35209-020501 and Ordinance No. 35210 - 020501. (7-0)
File #60-123

- d. A report of the Water Resources Committee recommending acquisition of property rights needed by the City for construction of sidewalk, curb and gutter between Aspen Street and Hershberger Road, N. W. Council Member Linda F. Wyatt, Chair.

Adopted Ordinance No. 35211-020501. (7-0)
File #57-468

- e. A report of the Water Resources Committee recommending that Council concur in a recommendation of the City Attorney with regard to the sale of vacated right-of-way. Council Member Linda F. Wyatt, Chair.

Concurred in the recommendation.
File #2-468

- f. A report of the Water Resources Committee recommending that a public hearing be advertised and, lacking any comments to the contrary, authorize execution of a document to grant a 15-foot easement across City-owned property located at 348 Campbell Avenue, S. W., to Verizon Virginia, Inc., to install underground facilities for telephone service to the new police building.

Concurred in the recommendation.
File #5-28-166-291

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Vice-Mayor Carder expressed concern with regard to the proliferation of paper boxes in the downtown area, especially in the Historic District, and requested that the matter be referred to the City Manager and the City Attorney for review and report to Council.

File #144-66

Vice-Mayor Carder requested that an inventory be prepared listing all property owned by the City of Roanoke in the Roanoke Valley, the location, and proposed use of the property.

File #166

Council Member Bestpitch referred to a briefing that was held during the 2001 Virginia Municipal League Legislative Day on Thursday, February 1, 2001, in Richmond, Virginia, with regard to natural gas prices. He advised that the gas companies have indicated that they will work with citizens to set up a budget payment plan, they are suspending any disconnections of gas at this time because of the winter season, and if any citizen is experiencing financial difficulty paying their gas bill, they are encouraged to contact their local gas company to inquire about a budget payment plan.

File #17-330-458

Council Member Wyatt proposed that Council adopt a document entitled, “Proposed House Rules/Code of Conduct” which was approved, in concept, by Council at its July, 2000, retreat.

A motion to adopt “City Council’s House Rules/Code of Conduct”, by deleting the word “partisanism” and inserting the word “partisanship”, was approved. (Council Members Hudson and White voted no.)

File #132

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED, WITHOUT OBJECTION, IMMEDIATELY, FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Ms. Helen E. Davis, 35 Patton Avenue, N. E., Ms. Fredrika Monk, 3343 Pittsfield Circle, N. W., Ms. Evelyn V. Bethel, 35 Patton Avenue, N. E., and Ms. Pernella C. Wilson, 3045 Willow Road, N. W., addressed Council in support of the reappointment of Barbara N. Duerk to the City Planning Commission.
File #110-200

The Council meeting was declared in recess for continuation of the Closed Meeting.

CERTIFICATION OF CLOSED SESSION. (4-0)

(Council Members Bestpitch, Wyatt, and Mayor Smith were out of the Council Chamber when the vote was recorded.)

The following persons were appointed/reappointed to boards and commissions:

Robert J. Sparrow as a member of the Fair Housing Board for a term ending 3/31/2003.
File #15-110-178

Thomas Pettigrew as a Director of the Industrial Development Authority for a term of four years commencing February 5, 2001, and ending October 20, 2004. Adopted Resolution No. 35212-020501. (7-0)

File #15-110-207

**Clay Wyatt as a member of the Youth Services Citizen Board for a term ending 5/31/2003.
File #15-110-304**

**Darlene L. Burcham, City Manager as a member of the Roanoke Valley-Allegheny
Regional Commission for a term ending 6/30/2003.
File #15-110-326**

**Robert N. Richert as a member of the Architectural Review Board for a term ending
10/1/2004.
File #15-110-249**

**Vickie S. Briggs as the City representative to the League of Older Americans, Board of
Directors for a term of one year ending 2/28/2002.
File #15-110-243**